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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/072,988	02/12/2002	Chris E. Rowen	OTG0002-US	3521
21912 7590 10/19/2007 VAN PELT, YI & JAMES LLP 10050 N. FOOTHILL BLVD #200 CUPERTINO, CA 95014			EXAMINER CHANKONG, DOHM	
			ART UNIT 2152	PAPER NUMBER
			MAIL DATE 10/19/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/072,988

Applicant(s)

ROWEN, CHRIS E.

Examiner

Dohm Chankong

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 August 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-44 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-44 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 8/6/07.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____.

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DETAILED ACTION

- 1> This action is in response to Applicant's amendment, filed 8.17.2007. Claims 1, 8, 15, 21, 30, and 37 are amended. Claims 1-44 are presented for further examination.
- 2> This is a final rejection.

Information Disclosure Statement

- 3> The IDS filed 8.6.2007 has been considered.

Response to Arguments

- 4> Applicant has amended independent claims 1, 8, 15, 21, 30, and 37 with the following new language: "wherein the message tags stored in the single shared index file are computed from at least a portion of respective messages properties of messages retrieved from a plurality of mailboxes."

As set forth in the previous Office action, filed 12.19.2006 [see pg. 5, ¶1], Mattis teaches the limitation of computing message tags from at least a portion of respective message properties. Specifically, Mattis discloses computing a message tag by hashing either the name or the content of the message [column 8 «lines 58-62»]. The name or content of Mattis' message reads on Applicant's claimed "message properties."

The other portion of the amendment recites that the messages are retrieved "from a plurality of mailboxes" associated with multiple recipients. This limitation does not overcome Mattis and Cloutier. As set forth in the previous Office action, Mattis disclosed

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reviewing a list of message tags stored in a single shared index file associated with multiple message recipients [Mattis, column 8 «line 55» to column 9 «line 6» | column 10, lines 40-48]. Mattis' messages however were not described as email messages. The previous action relied upon Cloutier to teach this element.

Specifically, Cloutier discloses performing hash functions on email messages retrieved from an email server [column 4 «line 61» to column 5 «line 4»]. As to the new limitation, Cloutier also discloses retrieving messages from a plurality of mailboxes associated with multiple electronic mail recipients and performing the hash function on these retrieved emails [column 5 «lines 24-39»]. Thus, Mattis and Cloutier disclose all of the limitation as claimed.

Applicant also argues that there is no motivation to combine the references asserting that they describe different and distinct contexts. Contrary to Applicant's assertion, Mattis and Cloutier are directed towards similar inventions. Mattis is directed towards delivering messages to a client by using a hash function to eliminate duplicate messages [abstract]. Cloutier describes an invention that also is directed towards delivering messages, specifically email messages, to a client and also using a hash function to make the delivery more efficient [column 7 «lines 1-25»].

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to modify the system of Mattis by allowing the objects to be email messages. One would have been motivated to modify Mattis because it enhances the functionality of Mattis' system by making it compatible with electronic mail messaging systems.

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5> Based on the foregoing remarks, Applicant's amendment does not overcome the prior art references and Applicant's arguments as to the amendment are not found persuasive. As such, the rejections set forth in the previous Office action are maintained.

Claim Rejections - 35 USC § 103

6> The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7> Claims 1-44 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mattis et al. (U.S. Patent Number 6,292,880), hereinafter referred to as Mattis, in view of Cloutier et al. (U.S. Patent Number 6,535,586), hereinafter referred to as Cloutier.

8> Mattis disclosed a method for caching information objects that uses object keys to detect duplicate objects. In an analogous art, Cloutier disclosed a method for generating a unique code for email messages in a system for the notification and retrieval of stored email.

9> Concerning claim 1, and like claims, Mattis did not explicitly state that his object is an email message and thus did not explicitly state retrieving a message from a mailbox on the electronic mail messaging system, the message including a plurality of properties. However,

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Cloutier's system is focused on the generation of unique codes or tags for email messages stored in a messaging system server based on message properties. It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to modify the system of Mattis by allowing the objects to be email messages and thus adding the ability to retrieve a message from a mailbox on the electronic mail messaging system, the message including a plurality of properties as provided by Cloutier. Here the combination satisfies the need for an object store that efficiently stores large numbers of objects without content duplication. See Mattis, column 4, lines 34-35. This rationale also applies to those dependent claims utilizing the same combination.

10> Concerning claims 5 and 6, and like claims, the combination of Mattis and Cloutier did not explicitly state computing the message tag by concatenating the sender's name, the sender's submission time, and the subject. However, the combination does state computing tags by concatenating data from an email header, especially noting the use of the "Date" and "From" fields. Although the sender's name is not explicit, this would be a clear extension of data in a "From" field of an email header. Although the sender's submission time is not explicit, this would be a clear extension of data in a "Date" field of an email header as various dates and times are often used in email headers. Although the subject is not explicit, this would be a clear extension of the system since the system utilizes data from the email header and an email subject line is exemplary of such data. Thus it would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to modify the combination

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of Mattis and Cloutier by adding the ability to compute the message tag by concatenating the sender's name, the sender's submission time, and the subject.

11> Some claims will be discussed together. Those claims which are essentially the same except that they set forth the claimed invention as an alternative method or a system are rejected under the same rationale applied to the described claim.

12> Thereby, the combination of Mattis and Cloutier discloses:

- <Claims 1, 8, 15, 21, 30, and 37>

A method for identifying a unique electronic mail message in a plurality of electronic mail messages extracted from an electronic mail messaging system, the method comprising: retrieving a message from a mailbox on the electronic mail messaging system, the message including a plurality of message properties (Cloutier, column 5, line 40 through column 6, line 13); computing a message tag from at least a portion of the plurality of message properties (Mattis, column 8, lines 18-36 and column 8, line 55 through column 9, line 6); reviewing a list of message tags stored in a single shared index file associated with multiple electronic mail recipients (Mattis, column 8, line 55 through column 9, line 6 and column 10, lines 40-48; and for email recipients, Cloutier, column 3, lines 20-28); determining based upon whether the message tag is found in the single shared index file whether the message is not a duplicate message already stored in a message archive (Mattis, column 8, line 55 through column 9, line 6); and storing the message tag in the single shared index file and storing the message in the

message archive if it is determined the message is not a duplicate message (Mattis, column 8, line 55 through column 9, line 6).

Claims 8 and 30 also contain limitations similar to Claim 5 discussed below.

- <Claims 2, 17, 22, and 38>

The method of claim 1, wherein the message tag is computed by concatenating at least two properties selected from the plurality of message properties (Mattis, column 9, lines 48-63 and Cloutier, column 6, lines 7-13).

- <Claims 3, 10, 18, 23, 28, 32, 39, and 44>

The method of claim 2, wherein the message tag is further computed by applying a hash algorithm to the message tag to form a uniform string, wherein the uniform string has a predetermined length (Mattis, column 9, lines 48-63).

- <Claims 4, 11, 19, 24, 33, and 40>

The method of claim 3, wherein the hash algorithm is an MD5 hash algorithm (Mattis, column 9, lines 48-63).

- <Claims 5, 9, 16, 26, 31, and 42>

The method of claim 1, wherein the plurality of message properties includes a sender's name and a sender's submission time, and wherein the message tag is computed by concatenating the sender's name to the sender's submission time (Cloutier, column 6, lines 7-13 and obviousness).

- <Claims 6, 27, 34, and 43>

The method of claim 1, wherein the plurality of message properties includes a sender's name, a sender's submission time and a subject, and wherein the message tag is

computed by concatenating the sender's name and the subject to the sender's submission time (Cloutier, column 6, lines 7-13 and obviousness).

- <Claims 7, 13, 20, 29, and 35>

The method of claim 1, wherein the index file is stored in a relational database system (Mattis, column 10, lines 24-31).

- <Claims 12, 25, and 41>

The method of claim 8, wherein the first mailbox and the second mailbox are different mailboxes on the electronic mail messaging system (Mattis, column 8, lines 42-49).

- <Claims 14 and 36>

The method of claim 8, wherein the message archive is a relational database system (Mattis, column 7, line 66 through column 8, line 17).

Since the combination of Mattis and Cloutier discloses all of the above limitations, claims 1-44 are rejected.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

Hughs, U.S Patent No. 6,122,372 : preventing duplicate messages by hashing email messages to create a message ID for the email message [column 2 «lines 54-64» | column 3 «lines 3-12»];

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Moulton, U.S Patent No. 6,704,730 : eliminating redundant copies of messages by using a hashing algorithm [abstract].

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

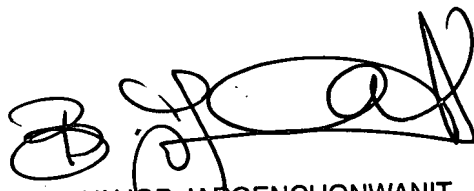
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dohm Chankong whose telephone number is 571.272.3942. The examiner can normally be reached on Monday-Friday [8:30 AM to 4:30 PM].

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bunjob Jaroenchonwanit can be reached on 571.272.3913. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

DC


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SUPERVISORY PATENT EXAMINER

10/18/07